

Docket No.: 50352-019

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277
Tsuyoshi OKADA, et al. : Confirmation Number: 2515 :

Application No.: 09/807,696 : Group Art Unit: 1764
: Allowed: November 5, 2004
:
Filed: April 17, 2001 : Examiner: Griffin, Walter Dean
:
For: GAS TURBINE FUEL OIL AND PRODUCTION METHOD THEREOF AND POWER
GENERATION METHOD

PETITION FOR WITHDRAWAL FROM ISSUE (37 CFR 1.313)

Mail Stop Petition for Withdrawal
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FAX RECEIVED

FEB 18 2005

Sir:

OFFICE OF PETITIONS

1. Applicant hereby petitions for the withdrawal of this application from issue.
2. The issue fee for this case
 - a. ☐ has NOT been paid, but is due for payment on .
 - b. ☒ has been paid on December 10, 2004.

This application is scheduled to

- ☒ issue on February 22, 2005.
☒ as patent 6,858,131.

3. The reason for the request for withdrawal from issue is:
 - a. ☐ there has been a mistake on the part of the Office.
 - b. ☐ there has been a violation of Section 1.56, or illegality in the application.
 - c. ☐ one or more of the claims are unpatentable.

02/22/2005 SKELLEY 00000029 500427 09807696

01 FC:1464 130.00 DA

WDC99 1044725-1.050352.0019

Application No. 09/807,696

- d. ☐ for purposes of declaring an interference.
- e. ☒ Issuance of a foreign search report and filing of a pertinent reference.

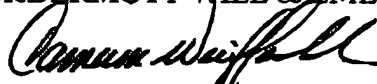
Further details as to the reason(s) for this withdrawal request are set forth on the attached sheet(s).

4. The petition fee (37 CFR 1.17(i)) is paid as follows:

- ☐ Enclosed is a check in the sum of \$130.00.
- ☒ Charge Account 500417 the sum of \$130.00. A duplicate of this petition is attached.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Cameron K. Weiffenbach
Registration No. 44,488

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 CKW:jj
Facsimile: 202.756.8087
Date: February 18, 2005

Please recognize our Customer No. 20277
as our correspondence address.

Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Saccharine Reid-Johnson
Date or date of person closing communication
2/18/05
Signature Date

Application No. 09/807,696

The reason for the request to withdrawal the above-reference patent application from issue is that Applicant has received a Supplementary European Search Report dated October 12, 2004. The Search Report cites six patents that have been identified as being particularly relevant if taken alone. Five of these patents cited have not been considered by the Examiner.

Therefore, it is requested that this Petition for Withdrawal from Issue be granted and that the accompanying Request for Continued Examination (RCE) of the application filed concurrently with this Petition be approved in order that the patents can be considered by the Examiner.

Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Type or print name of person signing certification

Signature

Date

Jacqueline Reid-Johnson
JR 2/18/05

McDermott Will & Emery

Boston Brussels Chicago Dusseldorf London Los Angeles Miami Milan
Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.

FACSIMILE

Date: February 18, 2004

Time Sent:

To:	Company:	Facsimile No:	Telephone No:
Francis Hicks	U.S. Patent and Trademark Office	571 272-3218	571 273-0025
From:	Cameron K. Weiffenbach	Direct Phone:	202.756.8171
E-Mail:	cweiffenbach@mwe.com		
Sent By:	Jackie Reid-Johnson	Direct Phone:	202 756-8668
Client/Matter/Tkpr:	50352-019/05169	Original to Follow by Mail:	No
		Number of Pages, Including Cover:	64

Message: URGENT

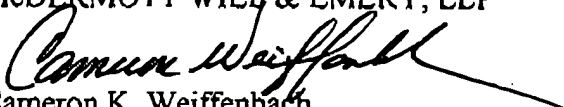
U.S. Patent Application No.09/807,696
Art Unit 1764
Applicant: Okada et al.

Dear Ms. Hicks:

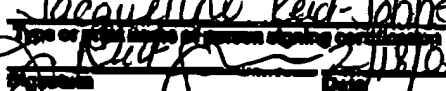
Attached is a Petition to Withdrawal of issuance of the above referenced patent application. Currently filed with the Petition is a Request for Continued Examination (RCE) and an Information Disclosure Statement. The application is scheduled to issue on February 22, 2005. It is respectfully requested that the Petition be considered as soon as possible before the issuance of the patent.

Sincerely yours,

McDERMOTT WILL & EMERY, LLP


Cameron K. Weiffenbach
Registration No. 44,488

Certification of Facsimile Transmission
I hereby certify that this paper is being facsimile
transmitted to the Patent and Trademark Office
on the date shown below.


Type or print name of person signing certification
Signature Date 2/18/05

FAX RECEIVED

FEB 18 2005

OFFICE OF PETITIONS

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the below address by mail. Thank you.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL AS SOON AS POSSIBLE.

Main Facsimile: 202.756.8087

Facsimile Operator: 202.756.8090

U.S. practice conducted through McDermott Will & Emery LLP.
600 Thirteenth Street, N.W. Washington, D.C. 20005-3096

Telephone: 202.756.8000